104-10333-10008
59 p.p.

UNCLASSIFIED

NOTE FOR: J. Barry Harrelson @ DA
Gloria M. Boyd @ DA
Barbara A. Standley @ DA
FROM: John F. Pereira
DATE: 12/07/94 05:00:07 PM
SUBJECT: Meeting with JFK Board Staff

I've confirmed with David Marwell that we will meet with him and several of his staff in Ames at 10:00, tuesday, 20 December.

For D/CSI: Marwell asked us to provide background on our JFK review process to him and the four or five members of his staff who will be on board. Among them will be Sheryl Walter, their General Counsel. I've invited Bob Eatinger, OGC to participate.

CC: Brian S. Latell @ DA

UNCLASSIFIED

4/94

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(draft)

BRIEFING OUTLINE (For JFK Board)

1. Background on CIA's approach to review of JFK records

   - Organization of the effort

   - The review process

2. Description of records under review

   - Condition of records

   - Sequestered documents

   - Oswald 201 file

   - Microfilm (printouts)

   - Other records

     - HSCA

     - SSCI

     - HPSCI

     - FBI, other third agency

     - Warren Commission, Rockefeller Commission

     - Presidential libraries -Ford, Kennedy, Johnson

3. Status report on processing of documents

   - Records released to NARA (in full, sanitized)

   - Records remaining to be completed

   - Records withheld (examples)

   - Types of information sanitized

4. Issues/Problems

   - Degree of sanitization

   - Relevancy

- Privacy
- Duplicates
- Office of Personnel files
  Office of Security files
- Identification aids (examples)
  Indexing
- Jim Lesar litigation
- Inadvertent release of agent's identity

5. Review of records by the Board
   - Summaries (examples- financial records)

4-00000

CIA JFK Collections

1) Oswald 201 file: 17 boxes (Aug 93/Jan 94 Release)

1) JFK hard copy, 63 boxes (Aug 93/Feb 94 Release)

2) JFK microfilm, 72 reels (currently under review)

The Microfilm Reels contain the files that the HSCA staff either requested or had access to. A great deal of the material is duplicative of that found in the 63 hard copy boxes including the complete Oswald 201 file. There are also files not related to the assassination story and files not reviewed by the HSCA.

HGR has reviewed all the microfilm material (page by page) with the exception of the Oswald 201 file. The Microfilm collection has been divided into to two parts:

1) documents reviewed for release and being prepare for NARA (records related to the assassination, the investigations, or the various conspiracy theories),

2) documents reviewed but being held pending discussion with the board (see attachment).

14-00000

Microfilm Material Not Processed for Release (Pending Discussion with the Board):.

Oswald 201 File - this appears to be a duplicate of the hard copy 201 file reviewed in 1993. 12+ Reels/approximately 30,600 pages

CIA Staff Employees' Personnel Files - Approximately 10,800 pages located on 7 different reels. Request that these file not be considered part of the JFK collection as a matter of privacy. Only a small portions of these files have any relevance to the JFK investigations and we believe that the documents related to their roles in the JFK story were released in the JFK hard copy collection. We have reviewed each of the OP files and prepared a classified summary for the Board.

Non-Related Material - Most of these documents fall into three major categories:

Individual 201 files : These files cover the entire period of agency interest or contact with a person. For individuals who are not "key figures" in the JFK story, those sections of the file that are outside relevant time frames or can not be linked to Oswald, the assassination, the various investigations, or any of the conspiracy theories have been treated as non-related.

Project/Operational Files: Many of these cover the complete life of a project. Sections of these file deals with operations which have no connection with the assassination or fall in only part of a relevant time frame. For example there are over 3000 pages on the Mexico City Photo operation covering the 1960's and 1970's. The only related material is that falling in the time frame of Oswald's visit to Mexico City and the investigation following the assassination.

Cuban Exile Groups/Operations: The anti-Castro activities of the Cuban exiles in the US during 1960 - 1963 are considered relevant to the assassination. However, some of the organizations and individuals members continued to run operations against Castro into the 1970's. The exile activities after the assassination are generally not considered related unless they involve plots to assassinate Castro, the continuation of pre-assassination projects or the Garrison Investigation.

14-00000

Notes:

I did not address the financial records of the CRC that we are replacing with a summary (need to review again); we will probably have to wait until we meet with the full board to get their thinking on summaries.

There are other categories/types of documents that are non-related but do not fit in the above categories. For example, the HSCA requested files on 29 on defectors; they chose only 11 for their defector sample to be compared with Oswald. We treated the 11 as related and the rest as non-related. However, the number of pages involved is small compared to the above three categories.

14-00000

→ Barry
753

facsimile
TRANSMITTAL

to:	John Pereira
fax #:	703-243-8343
re:	Upcoming Visit
date:	December 19, 1994
pages:	1, including cover sheet.

CIA HAS NO OBJECTION TO DECLASSIFICATION AND/OR RELEASE OF CIA INFORMATION IN THIS DOCUMENT

The following ARRB Staff will be coming:

David G. Marwell
Gene Burpoe (Starting 27 December)
Jeremy Gunn (Interim TS)
Sheryl Walter (Interim TS)
Tom Samoluk (Clearance Pending)

From the desk of...

David G. Marwell
Executive Director
Assassination Records Review Board
600 E Street NW • Room 208
Washington, DC 20004

(202) 724-0088
Fax. (202) 724-0457

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20 Dec 94

BRIEFING OUTLINE (For JFK Board Staff)

INTRODUCTIONS

AGENDA: Discuss review process for JFK records
Status of document review
Discuss indexing (Gloria)
Walk-through/see documents

1. Overview of CIA's approach to review of JFK records

   a. Process of review began in April 1992

   b. How the original "core' file was organized
      - Sequestered file
      - Oswald 201

   c. How CIA identified additional records

      - Oswald 201 file

      - Search request in 1993

2. Organization of the effort

   - Staffing

   - Steps in the review process:

     -- Reviewers
     -- Senior reviewers provided guidance
     -- Coordinated with directorates
     -- Coordinated with third agencies

   - Guidance (JFK Law, specific)

3. Description of records under review

   - Condition of records
     -- poor quality
     -- not organized
     -- lots of duplicates
     -- large number of press items

   - Sequestered documents (64 boxes, 127,000 pages)

   - Oswald 201 file (17 boxes, 35,000 pages)

- Gates released a pre-assassination file on Oswald to Congress in 1992

- Microfilm (1 of 64 boxes, 72 reels, 164,000 pages) (printouts)

- Other records

  - DCI Morning meeting minutes (400 pages)
  - HSCA - 14,000 pp referrals [1,000 to do]
  - SSCI - complete
  - HPSCI - "
  - FBI, other third agency ~~- 10,000 pp~~
  - Warren Commission, Rockefeller Commission
  - Presidential libraries -Ford, Kennedy, Johnson
    - Ford Library documents reviewed ✓

4. Status report on processing of documents

   - Records released to NARA (in full, sanitized) (attachment)

   - Records remaining to be completed

   5,000 HSCA, Working files, Presidential libraries

   - Records withheld (examples)

   - Types of information sanitized

     -- identity of agents
     -- sensitive sources and methods
     -- relations with foreign government
     -- unwarranted invasion of privacy

   - Summaries (examples--financial records)

5. Issues/Problems (examples of postponed information)

   - Degree of sanitization

   - Relevancy e.g., chrono cables from Mexico City (Chinese ops items)

   - Privacy

   - Duplicates (Oswald 201 in microfilm)

14-00000

- Office of Personnel files
  Office of Security files

- Hand- written notes prepared by HSCA staffers
  - -- 5x8 cards, note pads, sensitive operational information, some of it innaccurate

- Identification aids (examples)
  Indexing

- Jim Lesar litigation--receives copies of docs, i.a.

- Inadvertent release of agent's identity (attachment)

6. Discuss arrangements for review of records by the Staff

Assassination Review Board

Second Public Meeting, 12 July 1994
Room 105, NARA

Official Attendees: Members of the Board, Steve Tilly, NARA.

Public: 25/30 in attendance including four from FBI (Terry & Grant), Lesar, and Newman. Also one network (ABC?) rep.

Purpose: Transact official business, briefing form Tilly on recent releases; discuss future board activities

Selected items of HRG Interest:

I spoke with Jack after the meeting. Ex. Director MARWELL will be on board 8 Augusts; they expect to be in new offices by 15 August and have a core staff in September. Jack said (after meeting) he would like to meet us last part of August/early September.

Tilly said that the CIA would be releaseing 70,000 pages later this summer (he ask me before the meeting if July was still a good date -- I said "no"). He also mentioned the 20,000 pages of HSCA material in our files that we would be reviewing this summer.

FBI received praise from the board; not much discussion of CIA. DOD agencies are now the "bad boys". Hall ask several pointed questions about the "small" DOD releases then Newman blasted NSA and DIA during the question period.

Items/Issues addressed by the Board during the meeting:

Announced appointment of Executive Director David G. MARWELL (see bio sheet). Will be on board 8 August.

Passed resolution extending the Board to October 1995

MOA signed with the White House - funds through Sept. 1994

Discussed status of items before Congress (extending the Board to October 1996 and funding). Funds included in House version of appropriation bill/deleted from Senate. They assume that the funds will be restored in Conference; however, could be reduced which would impact on number of public meeting to held outside of Washington.

Expects to move into new office space by mid-August and have a core staff in place in September. The bulk of the staff would come on board in October.

14-00000

Plans to begin public hearing on defining an assassination record in Sept. Anna Nelson commented on the importance of identifying what is a record before beginning to address specific issues/documents.

William Joyce reported that he had sent letters to 55 agencies asking about the quaintly of records still held by the agency and had received 20 responses several which had identified additional sources for documents (no specifics)

Steve Tilley gave a briefing on status of releases. Releases since last meeting include tapes of telephone calls from the Johnson Library, the FBI files, Church Committee (7 boxes), and DOJ's FOIA litigation files. This month an additional 10 boxes of Church Committee and some Pike Committee Files (only a small part deals with JFK). Expects a release from the CIA of approximately 70,000 pages later this summer (mentioned the 73 Reels).

Tilley also described the 20,000 pages of HSCA material in CIA files and that NARA would be acting as House agent on these record.

Questions (to Tilly) by the Board:

Size of the NARA collection? - 1200 Cubic Feet (2500 pages per foot)

(Jack) what was the number of documents with redactions? -- Steve said he could not give a figure, would guess less than 50%

(Graff) any problems with agencies' willingness to release documents -- None, considers the work be the various agencies as a remarkable effort to turn over records. The problem was the volume of material and the time it takes to review.

A question about Senate and House Committee reviews procedures led to a discussion where it was clear that neither the Board nor Tilly had a good fix on that part of the review. The point was made that CIA information in those documents (and in our HSCA material) would be reviewed by CIA reviewers; the originator of the information was the key reviewer).

(Jack) how were the agencies doing in defining "assassination records? -- Tilly described some of his discussions about assassination records within NARA and with other agencies. He mentioned that the "major agencies" had records that they felt fell outside the scope which they planned to discuss with the board.

14-00000

(Hall) how was the cooperation of the DOD intelligence agencies including NSA / how much had they withheld ? -- Tilly said he found them cooperative but that the release was small. Did not know off hand how much was withheld. Hall considered so few record as "suspect" and ask if NARA had followed up. Tilly said no. NARA did not have the authority to question the agencies about their searches. He indicated that the Army among others had not responded to NARA's initial request. (During the public comments part of the meeting Newman and Lesar returned to the question of DOD compliance.)

Several members of the Board had questions about the Presidential Libraries; Tilly described his role and the process.

When Jack open the meeting for public comments, Newman returned to the question about DOD releases. He clamied that NSA had release only one true document and that most of the DIA files was administrative or news clipping. He said he had seen at least 30 DOD documents in CIA and FBI files that did not appear in the DIA release.

Newman then ask if the agencies could withhold documents from the Board; Jack responded that under the law thar only Board had the power to withold a document.

Lesar ask if the Board had given consideration to his letter concerning the definition of an assassination record. Jack thanked him for the letters but the Board would not be able to address the issues Lesar raised until they had a staff to do the research.

A third "expert" named Mark Zaid ask a question about Post Office files that had been released before and how they compared with recent Post Office files found by NARA. Anna responded that such questions require a staff.

14-00000

Barry

ASSASSINATION RECORDS REVIEW BOARD
600 E Street, N.W.
Washington, DC 20004

MEMORANDUM

via facsimile: 1 pages

TO: JOHN PEREIRA

CIA HAS NO OBJECTION TO DECLASSIFICATION AND/OR RELEASE OF CIA INFORMATION IN THIS DOCUMENT

DATE: September 23, 1994

FR: JOHN R. TUNHEIM
Chair

PHONE: (612) 296-2351

RE: PEREIRA LETTERS

Please disregard the letter faxed to you on the issues the Review Board would like to review on Wednesday, as that was a preliminary draft of the issues. On Monday you will be faxed a letter which will be in final form of the issues the Reivew Board would like to discuss. I apologize for any confusion this may have caused. Thank you.

ADDRESS FOR REVIEW BOARD CHAIR
102 State Capitol • St. Paul, Minnesota 55155-1002
612 296-2351 • TDD 612-297-7206 • Fax 612-297-4193

Sep 23 '94 15:56 P.01

ASSASSINATION RECORDS REVIEW BOARD
600 E STREET N.W.
WASHINGTON, DC 20004
202-724-0088 • Fax 202-724-0457

September 23, 1994
via facsimile: 703/243-8343

CIA HAS NO OBJECTION TO
DECLASSIFICATION AND/OR
RELEASE OF CIA INFORMATION
IN THIS DOCUMENT

John Pereira
Chief, Historical Review Group
Room 404 Ames Building
Central Intelligence Agency
Washington, D.C. 20505

Dear Mr. Pereira:

This is to confirm our discussion in which we agreed to meet on Wednesday, September 28, 1994 at 10:00 a.m. in your offices to discuss the agency's review of records related to the assassination of President Kennedy. I expect all of the Board members, Kermit Hall, Henry Graff, Anna Nelson, and William Joyce to join me, as well as the Board's Executive Director, David Marwell. As I indicated, Mr. Marwell now has a "temporary top secret" security classification. I expect to fax to you on Monday a list of the questions that the Board would like to review with you and your staff, questions along the lines we discussed on Wednesday.

We look forward to meeting with you and beginning our understanding of the issues and the process that the CIA is following with respect to the records that fall within the Review Board's jurisdiction. Thank you very much.

Sincerely,

John R. Tunheim

John R. Tunheim
Chair

cc: Board Members
David Marwell

ADDRESS FOR REVIEW BOARD CHAIR
102 State Capitol • St. Paul, MN 55155
612-296-2351 • TDD 612-297-7206 • Fax 612-297-4193

ASSASSINATION RECORDS REVIEW BOARD

600 E STREET N.W.
WASHINGTON, DC 20004
202-724-0088 • Fax 202-724-0457

September 26, 1994
via facsimile: 703/243-8343

John Pereira
Chief, Historical Review Group
Room 404 Ames Building
Central Intelligence Agency
Washington, D.C. 20505

Dear Mr. Pereira:

In our briefing meeting on Wednesday, the Review Board would like to address the following issues, along with whatever issues you may wish to raise.

1. Overview of the JFK Assassination Record review process followed by the CIA, including:

   a. Formation of the original core file that was organized in response to previous congressional investigations;

   b. The process by which the CIA identified additional assassination records in order to fulfill the mandate of the current legislation.

2. Overview of the process by which the CIA has identified assassination records, including relevant discussion of the filing system;

3. Discussion of the files which include assassination records, including:

   a. Briefing on the filing system(s), content of CIA archives, effect of reorganization of CIA since 1960s on filing systems, etc.

4. The CIA's view as to how the term "assassination records" should be defined;

5. Discussion of postponement issues from the CIA's view, including reviewing examples of postponed information and categories of postponed information;

6. Discussion about relevant files at the Ford Library;

7. Review issue of operational files as it relates to assassination records.

We look forward to seeing you on Wednesday. Please contact me or Dave Marwell if there is any matter that we should discuss prior to Wednesday. We are planning a 4-5 hour meeting. Thanks very much.

Sincerely,

John R. Tunheim
Chair

cc: Board Members
David Marwell

Barry

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28 Sep 94

BRIEFING OUTLINE (For JFK Board)

INTRODUCTION: Discuss review process for JFK records
Walk-through look at documents
Possible demonstration of indexing (Gloria)

1. Overview of CIA's approach to review of JFK records

a. How the original "core' file was organized

b. How CIA identified additional records

- Oswald 201 file

- Search request in 1993

2. Overview of CIA filing system(which include JFK records)

_ Issue of operational files

3a Organization of the effort

- Staff (from attached data sheet)

- Steps in the review process:

-- Reviewers
-- Senior reviewers provided guidance
-- Coordinated with directorates
-- Coordinated with third agencies

3b Description of records under review

- Condition of records
  -- poor quality
  -- not organized
  -- lots of duplicates
  -- large number of press items

- Sequestered documents (64 boxes, 127,000 pages + microfilm

- Oswald 201 file (17 boxes, 35,000 pages)

  - Gates released a pre-assassination file on Oswald to Congress in 1992

- Microfilm (1 of 64 boxes, 72 reels, 164,000 pages)

14-00000

(printouts)

- Other records

  - DCI Morning meeting minutes (400 pages)

  - HSCA - 20,000 pp

  - SSCI

  - HPSCI

  - FBI, other third agency - 10,000 pp

  - Warren Commission, Rockefeller Commission

  - Presidential libraries -Ford, Kennedy, Johnson

4. How assassination record should be defined ?

5. Status report on processing of documents

- Records released to NARA (in full, sanitized) (attachment)

- Records remaining to be completed

  HSCA, Working files, Presidential libraries

- Records withheld (examples)

- Types of information sanitized

  -- identity of agents
  -- sensitive sources and methods
  -- relations with foreign government
  -- unwarranted invasion of privacy

- Summaries (examples--financial records)

6. Issues/Problems (examples of postponed information)

- Degree of sanitization

- Relevancy e.g., chrono cables from Mexico City (Chinese ops items)

- Privacy

- Duplicates (Oswald 201 in microfilm)

- Office of Personnel files
  Office of Security files

- Hand- written notes prepared by HSCA staffers
  - -- 5x8 cards, note pads, sensitive operational information, some of it innaccurate

- Identification aids (examples)
  Indexing

- Jim Lesar litigation--receives copies of docs, i.a.

- Inadvertent release of agent's identity (attachment)

7. Ford Library--relevant files.

8. Question: Arrangements for review of records by the Board ?

The following Agency members will attend the meeting with the ARRB on Wednesday, 2 August 1995:

Eleanor Neiman
Directorate of Operations

Michael Luce
Directorate of Operations

John Kambourian
Directorate of Operations

Fred Wickham
Directorate of Operations

William McNair
Directorate of Operations

Robert Eatinger
Office of General Counsel

Barry Harrelson
Historical Review Group

18 May 95

The following Agency members will attend the meeting with the ARRB on Thursday, 18 May 1995:

Eleanor Neiman
Senior Coordinator, Directorate of Operations

Margaret Sanders (Peg)
Latin America Division, Directorate of Operations

Robert Eatinger
Office of General Counsel

William McNair
Information Review Officer, Directorate of Operations

Michael Luce
Latin America Division, Directorate of Operations

John Pereira
Historical Review Group

Barry Harrelson
Historical Review Group

6 March 95

1. Mr. Devine will discuss the perspective of the Directorate of Operations with respect to sensitive information that may appear in the assassination records. This includes information related to protection of sources and liaison relationships.

2. The following Agency members will attend the meeting with the ARRB on Monday, 6 March 1995:

John Devine
Associate Deputy Director for Operations

Donald Cryer
Deputy Chief, Information Management Staff

Eleanor Neiman
Senior Coordinator, Directorate of Operations

Margaret Sanders
Latin America Division, Directorate of Operations

Robert Eatinger
Office of General Counsel

Frederick Wickham
Chief of External Support, Information Management

John Pereira
Historical Review Group

Barry Harrelson
Historical Review Group

14-00000

To Mr. David Marwell:

The following Agency members will attend the meeting with the ARRB on Monday, 6 March 1995:

John Devine

Donald Cryer

Eleanor Neiman

Margaret Sanders

Robert Eatinger

Frederick Wickham

John Pereira

Barry Harrelson

14-00000

CERTIFICATION FOR 6 MARCH 1995   SI/TK/G&B

David Marwell	080-30-7709
Thomas J. Gunn	529-74-8907
Thomas E. Samoluk	030-50-1292
Sheryl Walter	506-80-0934

SECRET

11 December 1995

NOTE FOR THE FILE

SUBJECT: Briefing of JFK Board Staff: Cover

1. On 1 December, Barry Gibson, Deputy Chief of the Office of Central Cover, briefed the Executive Director of the Assassinations Records Review Board and other Board staff members. Also participating from CIA were John Goins and Eleanor Neiman of IMS; Linda Cipriani, OGC; and Barry Harrelson and I from HRG.

2. The focus of the briefing was on the need to protect the names of former Agency employees that appeared in the JFK records. Gibson discussed the risks involved for people who retired under cover if they were identified in the public record as former CIA employees. He discussed the efforts made by his office to obtain written statements from the more than 100 individuals whose names appear.

3. The purpose of the briefing was to assist the Board in its review of names when it meets on 12-13 December. The Agency was asked in particular to present, in writing, evidence of risk for each of the names that will be discussed at the Board's meeting.

John Pereira

John F. Pereira

CL BY: 0185904
CL REASON: COV 2-82 1.5 C
DECL ON: X1
DRV FROM: AHB 70-9

SECRET

ARRB OPEN MEETING
6 August 1996

HANDOUTS

Memorandum of Understanding Between the Director of Central Intelligence and the Select Committee on Assassinations

Office of Legislative Counsel Memorandum (OLC 79-2477) dtd August 1979; Subject: HSCA Records

Request of Records Disposition Authority

CIA's HSCA JFK Sequestered Records - I [Boxes 1-63]

CIA's HSCA JFK Sequestered Records - II [Box 64]

14-00000

FOR USE WITH ... COPY

...ST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

AGENCY COPY

LEAVE BLANK
JOB NC1-263-80-1
DATE RECEIVED June 3, 1980
NOTIFICATION TO AGENCY
In accordance with the provisions of 44 U.S.C. 3303a the disposal request, including amendments, is approved except for items that may be ... SIGNATURE OF THE ARCHIVIST ... 10. NOT REQUIRED FOR APPROVAL OF PERMANENT RETENTION OF RECORDS
Date / Archivist of the United States

TO: GENERAL SERVICES ADMINISTRATION,
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408

1. FROM (AGENCY OR ESTABLISHMENT)
Central Intelligence Agency

2. MAJOR SUBDIVISION
Office of Legislative Counsel - (08-76)

3. MINOR SUBDIVISION

4. NAME OF PERSON WITH WHOM TO CONFER
Elizabeth S. Lancer, Jon E. Wolfe
David W. Landram

5. TEL. EXT.
351-7776

6. CERTIFICATE OF AGENCY REPRESENTATIVE:
I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records; that the records proposed for disposal in this Request of 2 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified.

☐ A Request for immediate disposal.

☒ B Request for disposal after a specified period of time or request for permanent retention.

C. DATE	D. SIGNATURE OF AGENCY REPRESENTATIVE	E. TITLE
5/23/80	Edgar T. McHenry	Associate Records Management Officer

7. ITEM NO.	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
1.	MATERIAL HELD BY CIA RELATING TO THE HOUSE SELECT COMMITTEE ON ASSASSINATIONS INVESTIGATIONS Consists of all substantive documents and other materials created or reviewed as the result of inquiries made of the CIA by the House Select Committee on Assassinations (HSCA) during its investigations into the deaths of President Kennedy and Martin Luther King. The collection includes all CIA files requested for review, documents generated by the HSCA as the result of its reviews, correspondence exchanged between the CIA and the HSCA, and pertinent supporting documentation. The bulk of the collection consists of CIA files reviewed by the Committee and is primarily in the form of 16mm roll film produced, stored, and inspected in accordance with Federal standards for archival microfilm. The microfilming was done in those instances when it was necessary to return the paper files to their original locations. (Each paper file microfilmed will be maintained or disposed of in accordance with approved records control schedules covering the record series of which the file is a part.) a. Silver original 16mm microfilm produced, stored, and inspected in accordance with F...		

107

STANDARD FORM 115

7. ITEM NO.	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	SAMPLE OR JOB NO.	10. ACTION TAKEN
	b. Textual records not contained in "a" above.		
	Permanent. Records to be retained in the Agency Archives and Records Center. Not to be opened without the concurrence of the Legislative and General Counsels.		
	Records will be offered for transfer to the National Archives and Records Service when national security considerations permit.		
	Initial inspection of item 1a microfilm will be conducted as required by 41CFR 101-11.507-2, at 2 year intervals from the approval date of this records disposition request.		
	Amendments to this schedule concurred in by Jon E. Wolfe/CIA, and R C Tagge/NARS-NCD, 6/04-05/80.		

OLC 79-2477

10 August 1979

MEMORANDUM FOR: Mr. George Frates
AC/Records Management Division
ISS/DDA

FROM : Rodger S. Gabrielson
Office of Legislative Counsel

SUBJECT : HSCA Records

1. During the course of the HSCA investigations, much classified information was assembled in response to HSCA requests. Three categories of information must now be disposed of under terms of the HSCA/DCI Memorandum of Understanding.

<u>Category 1a</u>: Classified material from Agency holdings, requested by the HSCA, which HSCA staff members reviewed.

<u>Category 1b</u>: Classified material from Agency holdings, requested by the HSCA, but which HSCA staff members did not review.

<u>Category 2</u>: Material generated by the HSCA from Agency classified holdings made available to the HSCA in response to the latter's request. (Note: This HSCA material is considered by the HSCA as its property and, therefore, not releasable to the public under the Freedom of Information Act. An inventory of this material received from HSCA has been completed.)

<u>Category 3</u>: Classified correspondence and certain unclassified correspondence exchanged between this Agency and the HSCA.

2. The HSCA has indicated its desire that copies of these three categories of material be held in sealed and segregated storage to ensure the preservation of all relevant records pertaining to the phase of the investigation involving this Agency. In order to accommodate the HSCA, but also leave our own records accessible for routine purposes, a photographic copy should be made of each official Agency document made available in response to a specific request by the HSCA (Category 1a and 1b).

14-00000

3. Upon completion of the task of photographing the Category 1a and 1b documents, those photographic copies (Category 1), the HSCA-generated materials based upon Agency material (Category 2), and the designated Agency-HSCA correspondence (Category 3), will be sealed and held in segregated storage by the Agency, in accordance with schedules established by the Archivist of the United States.

4. Documents are now in the individual custodies of members of the Agency HSCA Task Force. These individuals are listed by attachment.

5. Please advise on your recommended procedures for photographing these documents and procedures for entering these copies into sealed storage.

/S/

Rodger S. Gabrielson

Attachment

MEMORANDUM OF UNDERSTANDING BETWEEN THE DIRECTOR OF CENTRAL INTELLIGENCE AND THE SELECT COMMITTEE ON ASSASSINATIONS

19 August 1977 ✓

I. Preparation of Materials

A. The Central Intelligence Agency (CIA) will cooperate fully in the investigations conducted by the Select Committee on Assassinations (Committee) by providing access, as requested, to classified information within the releasing authority of the CIA, and held by the CIA, that bears upon the study and investigation authorized by H. Res. 222. CIA will notify the Committee of any requested information held by CIA not within the releasing authority of the CIA, and notify the Committee of the proper authority to contact to obtain the information. No document or a portion of the document in the possession of CIA will be withheld without written notice of that action to the Committee. Access to all classified information designated for protection from unauthorized disclosure by the Director of Central Intelligence (DCI) and currently held by any federal agency or department shall be governed by this memorandum.

B. Documentary material will be made available as expeditiously and completely as feasible, subject to the responsibility of the DCI to protect sensitive intelligence sources and methods. The Committee and CIA will periodically agree upon a list of identities that will not be excised from materials turned over to the Committee. Subject to the list of identities that will not be deleted, CIA will appropriately sanitize, including excising if necessary, information to assure protection of information identifying sensitive sources and methods. When an excision is made, CIA will indicate the nature of the source or method excised, including the functional intelligence discipline which was the source of the intelligence.

C. The Chief Counsel of the Select Committee on Assassinations and a designated representative of the DCI shall meet monthly to discuss a random sample of the complete and unsanitized materials selected by the Chief Counsel for the purpose of verifying the appropriateness of the sanitizing done by the CIA. Those matters on which they do not agree shall be referred to the Chairman, Ranking Minority Member, and the DCI for resolution.

D. In making any excisions or other alterations of requested materials, CIA shall be bound by 18 U.S.C. Subsection 1505 and all other applicable statutes.

II. Request Procedure

A. The CIA element responsible for dealing with the Committee is the Coordination and Review Staff of the Office of Legislative Counsel (C&RS/OLC). All Committee requests for information will be conveyed to CIA only via the Coordination and Review Staff. Absent extraordinary circumstances, appointments with CIA employees and former employees will be arranged through the Coordination and Review Staff.

B. All Committee requests for information will be in writing. In the interest of timely response, C&RS/OLC will accept preliminary telephone or other oral requests, but no information can be made available until a request is received in writing from the Chief Counsel or one of the Deputy Chief Counsels.

III. Staff Clearance

Prior to access by Committee personnel to any material which has been designated for protection from unauthorized disclosure by the DCI, such Committee personnel will be granted security clearance by the Committee after consultation with the CIA. Committee personnel requiring access to such material will be required to execute, in advance, the attached Select Committee on Assassinations Nondisclosure Agreement.

IV. Transcripts of Statements Under Oath

A steno-typist from either the Committee or the CIA will make a verbatim record of all statements of current CIA personnel taken under oath. One copy of the record will be made available to the Committee and the other to the CIA in accordance with the Rules of the Committee.

V. Examination of Material

Materials to which access has been granted by CIA will be reviewed in a CIA reading room set aside for this purpose or in a designated area within the Committee's offices.

VI. Storage of Materials

A. Committee procedures for control and storage of any documents or materials provided by the CIA which require protection will follow security standards and procedures established in consultation with, and approved by, the CIA.

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B. Upon the termination of the Committee, all materials provided by CIA and examined by the Committee will be kept and preserved within a segregated and secure area within CIA for at least 30 years unless the DCI and the House of Representatives agree to a shorter period of time. All persons having access to such materials must sign an access sheet indicating the date, the name of the person receiving access, the specific documents or materials to which access was granted, and the person who authorized the access.

VII. Disclosure of Information

A. The Committee will notify the DCI in writing of its desire to disclose, in any manner, including under the Select Committee on Assassinations Nondisclosure Agreement, any information that is designated for protection from unauthorized disclosure by the DCI. If within five days the Committee does not receive a letter from the DCI objecting to the proposed disclosure and stating the reasons for the objection, the Committee may disclose the information.

B. If the DCI notifies the Committee within five days that he objects to the proposed disclosure and states the reasons for his objections, the Chairman of the Committee and the DCI, or their designated representatives, shall meet to attempt to resolve any differences over the information to be disclosed. If the Chairman of the Committee considers that the negotiations have reached an impasse, he will give the DCI a written notice to that effect, and the Committee will take no steps until at least 14 days thereafter to disclose the information in dispute.

C. Any differences left unresolved by negotiation may become the subject of litigation. In any such action each party will be free to assert all its constitutional, statutory, or other legal rights, and the parties agree to be bound by the final outcome of any such action. If such an action is commenced by the Executive Branch but is disposed of without a judicial decision on the merits of the disclosure issue, the Committee agrees that it will not on that basis, or on the basis of its 14-day notice letter, disclose the information in dispute. This Agreement, however, is without prejudice to any of the Committee's other rights, privileges and responsibilities concerning the production by legal compulsion and disclosure of information, and the DCI's rights, privileges and responsibilities concerning the protection from disclosure of the information.

Director of Central Intelligence

19 AUG 1977
Date

Chairman

August 29, 1977
Date

5 August 1996

CIA's HSCA JFK SEQUESTERED RECORDS - I

BOXES 1-63 HARDCOPY MATERIAL

The 63 boxes contain copies of material collected or prepared in response to over a thousand individual requests from HSCA. Boxes are grouped by responsible component. With the exception of the security files, there is no general subject grouping or order to the boxes. Individual boxes usually contain a mix of topics and types of documents, and there is much duplication through out the collection.

Boxes 1-34 (Directorate of Operations): contains a mix of CIA, third agency (primarily FBI) and Warren Commission documents plus a significant amount of HSCA originated material*. These records cover a wide range of topics but focus on anti-Cuba/Castro activities and Oswald in USSR, Mexico City and New Orleans. Also included are responses to the large number of names traces requested by the HSCA staff, numerous copies of documents from the Oswald 201, the 1967 IG report, testimony of Richard Helms before HSCA, Nosenko material, CIA cable traffic.

Boxes 35-36 (Inspector General): HSCA reports, Senate Select Committee reports, reports on Cuban operations, Book V of Church Committee final report.

Boxes 37-38 (Office of the General Counsel): Cuban exile activities, Garrison investigation, name files.

Box 39 (Directorate of Science & Technology): Photo comparisons of Hunt, Sturgis and the Dallas tramps; chart of frames from Zapruder film.

Boxes 40-48 (Office of Security): name files.

Boxes 49-63 (Office of Legislative Liaison): HSCA requests, notes, memos, correspondence and final report, plots against Castro, photos of unknown man, defector study, Nosenko, name files, Mexico City station files, FBI reports, Warren Commission reports.

*approximately 30,000 pages of HSCA originated material has been removed from the files and transferred to the National Archives.

5 August 1996

CIA's HSCA JFK SEQUESTERED RECORDS -- II

BOX 64 MICROFILMED MATERIAL

Box 64 contains 72 reels of microfilm. All but a small percentage of the materials are CIA-originated, and include cables, dispatches, memoranda, reports, and correspondence. Many of the reels contain a mix of subjects and types of material:

Reels 1-20	Individual 201 files, mainly Cubans, some Americans and Soviets
Reels 21-22	Cuban Defector AMMUG-1
Reels 23-25	DO Project Files, Garrison investigation
Reels 25-28	Cuban exile organizations
Reels 28-30	Office of Personnel Files; Mexico City records
Reels 31-44	Oswald files; 201 file is duplicate of hardcopy file
Reels 45-47	Nosenko; Mexico City records
Reels 48-49	CIA-HSCA Correspondence, 1967 IG Report, Cuban Mug Book, miscellaneous
Reels 50-56	Individual 201 Files (includes Cubela)
Reels 57-60	Office of Personnel Files
Reels 61-62	Nosenko, Golitsyn, anti-Castro activities
Reels 62-71	Cuban Revolutionary Council and other Cuban exile organizations.
Reel 71-72	Project Files

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(Gunn presentation)

Outline of Presentation to the Board
August 6, 1996

I. **Where we are in the process of CIA records**

We have almost completed the Oswald 201 file.
Size 17 boxes
Postponements have been reviewed word by word

We are now turning to new areas for CIA records
HSCA collection now housed physically just a few yards from here
To be reviewed word by word
Scelso
Oswald in Mexico City by Hardaway and Lopez
JFK Library
Release this fall of many records related to Cuba

I am pleased to say -- and I offer this as my personal opinion -- that I have seen no example where the Board has postponed any information that bears directly on the assassination. I believe that the story is coming out with the records that are being released.

II. **Issue immediately before us is the CIA's sequestered collection.**

Mr. Pereira has described it from the perspective of the agency.

The Review Board staff has been reviewing the record and has given the Board its own assessment of the status of the records.

There are a great number of records in the sequestered collection that are highly relevant:

Lee Harvey Oswald
Georges de Mohrenschildt
Elena Garro de Paz
Antonio de Varona (Frente RD)
Silvia Duran
Rolando Cubela
CRC
Bay of Pigs
Castro assassination attempts
Warren Commission
HSCA
Garrison investigation

These types of records need to be reviewed on the same word-to-word basis as the board has reviewed records thus far.

But we have a new problem: how should the Board review records from the sequestered collections where the relevance to the assassination is not clear.

III. Examples where the staff has difficulty finding a nexus to the assassination in certain records.

I will offer a few examples to provide you with a flavor of some of the issues we are confronting. The examples below are hypothetical and are loosely based upon our review of the files in order to illustrate the issues.

A. The "false hit" category

The HSCA requested files from CIA on a great number of persons. In many instances the agency did not know why the files were requested, and accordingly it made available files that it had on the name that had been requested. Because names are not always unique, the agency sometimes made available files on individuals who were of no interest to the HSCA and who had no identifiable relation to the assassination.

1. A very common name --- I will use as an example the name Robert Smith. The HSCA requested Robert Smith files because of an alleged connection between a "Robert Smith" and Lee Harvey Oswald in 1963. The Smith whose file was made available, however, was a CIA officer who died in 1956. The ARRB staff has reviewed the file and has discovered no relevance to the assassination.

B. CIA operational files or 201 files.

2. Cuban now living in the United States. CIA unsuccessfully attempted to recruit her to collect information on Cuba through her family and friends, but ultimately abandoned the effort. Neither she nor any of her hoped for contacts had any identifiable connection to the Oswald story or to the JFK assassination.

3. Cuban cultivated for operational work against Castro in whom CIA lost interest when he was not able to meet operation standards.

4. Soviet official at the Mexico City embassy during Oswald's visit, although he never had any personal contact with him. The Mexico City portion of his file ha been reviewed and released in part to NARA. The remainder of

his file covers his subsequent career in a European country, where CIA monitored him closely. This portion of his career - by far the largest part of his file - has no bearing on Oswald or the JFK assassination.

C. CIA officials

There are many personnel files of CIA officers. The files often contain medical records evaluations, recommendations, and postings. They generally do not contain any operational details.

5. CIA employee who was a Headquarters secretary for a major figure in the case. Her file consists of personnel records, medical records, and a polygraph, none of which has any identifiable bearing on the Oswald story of the JFK assassination.

As anyone knowledgeable about the Kennedy assassination can testify, there is a bewildering number of allegations regarding CIA officials who have alleged connections to the assassination. The HSCA investigated some of these leads. Not all leads are successful.

6. A CIA officer was allegedly in Dallas on November 22. An examination of the file suggests that the individual was not in Dallas, but was in Vietnam. There is nothing in the file that contains any apparent connection to the assassination.

7. CIA official in Mexico City who was directly involved in matters related to Oswald's visit. Prior to and subsequent to the Mexico City tour, the officer was stationed at headquarters and at other locations in the world. With the exception of the portion related to Mexico City, the staff can identify no other documents that illuminate the assassination.

D. Summary of problems

First, establishing criteria for relevance

Second, handling different types of records

ex. 1: entire file has no identifiable relevance

ex. 2: some documents in a file have relevance, but others do not

ex. 3: portion of a document has identifiable relevance, but others do not

IV. Selected Statutory Provisions in The President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 (Supp. V 1994)

Definition of Assassination Record

> "'Assassination record' means a record that is related to the assassination of President John F. Kennedy, that was created or made available for use by, obtained by, or otherwise came into the possession of [the HSCA]." Sect. 3(2).

Interpretation 1: All records in segregated collection are assassination records.

> Argument: the segregated collection are "assassination records" because a government agency examined them in the course of their investigation of the assassination.

Interpretation 2: Only segregated collection records that actually relate to the assassination of President Kennedy come within the scope of the JFK Act.

> Argument: In order for a record to be an "assassination record" it must: (a) relate to the assassination of President Kennedy, ***and*** (b) have been used by, obtained by, or otherwise came into the possession of a government agency.

Selected CFR Provisions:

> "All records collected by or segregated by all Federal, state, and local government agencies in conjunction with any investigation or analysis of or inquiry into the assassination of President Kennedy . . . ." 36 CFR 1400.1(b)(2)

> "An assassination record shall be released in its entirety except for portions specifically postponed pursuant to the grounds for postponement of public disclosure of records established in . . . the JFK Act, and no portion of any assassination record shall be withheld from public disclosure solely on grounds of non-relevance unless, in the Review Board's sole discretion, release of part of a record is sufficient to comply with the intent and purposes of the JFK Act." 36 CFR 1400.5.

V. Staff Preliminary Suggestions to Board

A. Factors suggesting possible relevance to assassination:

Unfortunately, there is no simple, clear, obvious method for determining relevance. Accordingly, rule of thumb guidelines need to be followed. The obvious rules of thumb to assist staff in identifying relevant documents would include:

-- documents that obviously are related to assassination
- CIA internal investigations
- Oswald records
- Garrison investigation
- Castro assassination attempts

-- documents falling within certain dates (relevance of dates depends on issue under consideration
- dates associated with Oswald
- dates immediately around assassination
- dates of Warren Commission
- dates of Church Committee, HSCA investigations

-- individuals of importance
- CIA officials in Mexico City
  - David Atlee Phillips
  - Win Scott
- CIA officials in HQ involved in investigation
  - John Scelso
  - JJ Angleton

-- geographical relevance (USSR; Cuba; Mexico)

B. Handling of records in sequestered collection

First, ARRB staff reviews all records and files in sequestered collection.

Second, all documents that are found to be relevant will be subjected to word by word review of postponements by the Board. The staff will, over time, work with the Board to establish guiding criteria for identifying relevance. The focus will be on individuals and groups that have been identified as playing a role in the larger story of the assassination. Examples of individuals who have been identified as being a part of the greater story surrounding the assassination include David Atlee Phillips, Win Scott, James Angleton, etc. Groups include Cuban exile groups

(DRE, Alpha 66, etc.), Minutemen, etc.

Third, for a file where no relevance can be found, the staff will write a memorandum identifying the file, describing the review process, and explaining the basis of finding no relevance. The staff memorandum will then be sent to the JFK Collection and be made fully available to the public.

Fourth, for a file containing some relevant records, the relevant records will be subjected to the word by word review. Records for which the staff has been able to identify no relevance, a memorandum will be written to describe generally the type of records and explain the basis for finding no relevance.

Fifth, with regard to the microfilm copy of the Oswald 201 file, the staff will review the entire file in order to determine whether there are any records in the file that are not included in the released version of the 201 file. If such records are identified, they will be subjected to the same word by word review as other records -- but the remainder of the 201 file will not be reviewed again.

Sixth, in rare cases, portions of a document that genuinely have no identifiable relevance to the assassination, may be redacted consistent with the 1400.5.

I recommend that the Board, in the near future, deliberate on the guidance that it wishes to give to the staff regarding these matters.

TESTIMONY BEFORE JFK BOARD, 6 AUGUST 1996

INTRODUCTION

Introduce CIA participants

We are pleased to provide information to the Assassination Records Review Board that might assist the Board in fulfilling its responsibilities under the President John F. Kennedy Assassination Records Collection Act. CIA is committed to full cooperation with the Board.

Before addressing the subject of the sequestered collection directly, I would like to provide some background to help put the sequestered collection into some sort of context.

In the spring of 1992, prior to the enactment of the JFK Assassination Records Act, then Director of Central Intelligence, Bob Gates issued instructions to begin reviewing for declassification all records related to the assassination.

The CIA History Staff was charged with identifying the relevant records. Once this was done, the Historical Review Group took custody of these records and immediately began reviewing them for declassification for release to the National Archives.

Once the Kennedy Assassination Records Act was passed, our goal became to release as many of the records as possible by the 22 August 1993 deadline established by the Act. Approximately 125,000 pages were transferred to the National Archives by that date.

With subsequent releases, CIA has now declassified and transferred some 227,000 pages of material to the National Archives. Based on discussions with the Board, we are continuing to release additional information that had been redacted earlier.

The remaining records are in various stages of review. Some require review by other agencies. Some is congressional material. Final decisions on other records are awaiting discussion with the Review Board.

THE ASSASSINATION RECORDS

In identifying relevant records, we have followed the definitions in the 1992 Act and the related rules which were published in the Federal Register.

The Kennedy assassination records in CIA consist of two major groups of files. One group consists of the documents in the Lee Harvey Oswald file--sometimes referred to as the "Oswald 201 file". These consist mainly of documents collected after the assassination and during the Warren Commission investigation.

There are about 26,000 pages of material in the Oswald file. All but a handful have been declassified and sent to the National Archives.

The second group is comprised of the "sequestered collection". These are the records that were made available to the House Select Committee on Assassinations, and which the Committee asked CIA to hold in safekeeping upon the completion of the Committee's investigation.

Certain additional records, including 400 excerpts from minutes of the Director's morning meetings, and some working files, have been added to the overall collection since 1992.

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SEQUESTERED COLLECTION

First of all, every document in the sequestered collection is available to the Board for review. The documents are available in full, without redactions.

The record shows that the sequestered collection consists of documents compiled in connection with the investigation of the House Select Committee on Assassinations (HSCA).

A portion of the documents were created specifically in response to requests from the HSCA. Other records were already in existence prior to the creation of the Committee. Still other documents were created by the Committee itself. For example, notes of interviews conducted by the Committee's staff.

Within the sequestered collection there are two major categories of records. One category consists of approximately 129,000 pages of hard copy. The second category consists of 72 reels of microfilm, or the equivalent of 163,000 pages of hard copy.

The reason why the documents were sequestered is explained in a Memorandum of Understanding signed by the Chairman Louis Stokes of the HSCA and DCI Stansfield Turner in August 1977. The Memorandum provides as follows:

"Upon termination of the Committee, all materials provided by CIA and examined by the Committee will be kept and preserved within a segregated and secure area within CIA for at least 30 years unless the DCI and the House of Representatives agree to a shorter period of time."

In April 1979, Robert Blakey, Chief Counsel and Staff Director of the HSCA visited CIA Headquarters to complete the process of designating what materials were to be sequestered. All the documents made available to the Committee were included in the sequestered collection.

REVIEW AND DECLASSIFICATION OF THE SEQUESTERED FILES

In 1992, CIA wrote to Speaker of the House Thomas Foley requesting approval to begin declassifying and releasing the records. In October of that year, Mr. Foley wrote a letter to the DCI granting CIA the authority to do so. The Speaker's decision was made in anticipation of passage of the Assassination Records Collection Act.

THE HARDCOPY MATERIAL

The hardcopy part of the sequestered collection includes copies of most of the CIA documents in the Oswald 201 file. Also included are 201 files, personnel files, and security files on persons who are mentioned in documents relevant to the assassination, or who figure in one of the conspiracy theories.

The collection also includes about 30,000 pages of documents, memos, and notes (many handwritten) that were created by the Committee staff during their investigation.

THE MICROFILM PORTION OF THE SEQUESTERED COLLECTION

As I noted earlier, there are approximately 72 reels of microfilm in the sequestered collection. (Incidentally, we have arranged to have all of the microfilm records printed in hard copy.)

The decision to microfilm a portion of the sequestered collection was apparently based on two major considerations:

First, the integrity of the sequestered records had to be maintained.

Second, a number of the files requested by the HSCA were active and had to be available to allow people to continue conducting their normal activities.

The solution was to replace certain records with microfilm versions. These records were microfilmed during 1979-80 with the approval of the Assassinations Committee.

THE CONTENT OF THE MICROFILM

A sizeable portion of the microfilm--approximately 50 percent--duplicates the hard copy files. For example, there are 12 reels of material from the Oswald 201 file.

The bulk of the reels consists of files on individuals and organizations, including personnel files of CIA employees. There are also a number of files on anti-Castro organizations. All but a small percentage of the materials are CIA-originated cables, dispatches, memoranda, reports, and correspondence.

There are questions of privacy that we believe the Board may want to consider in determining what information is to be released to the public. Some of the records contain, for example, medical information on an individual.

There are also questions of relevancy that we suggest the Board consider. For example, many of the documents cover sensitive activities that go far beyond the timeframe of the assassination or investigations into the assassination.

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SUMMARY

--We hope that the Board has found this discussion of the sequestered documents useful.

--We look forward to continuing cooperation with the Board as we all work towards releasing as much information as possible to the American public.

ADMINISTRATIVE - INTERNAL USE ONLY

24 February 1997

MEMORANDUM FOR: Richard Flynn @ DI
Teresa Wilcox @ DST
Kathryn Dyer

FROM: J. Barry Harrelson
CSI/HRG, JFK Project Officer

SUBJECT: Records Briefing for ARRB Staff

REFERENCE: ARRB letter to DCI, dtd. 27 November, 1997, RE CIA Compliance with the JFK Assassination Records Collection Act.

1. The JFK Board (ARRB) staff has requested briefings by records "specialists" on the Agency's records systems as part of the compliance with the JFK Act process (see reference). The first DO briefing took place on 12 February. The DA briefing and a follow-up DO briefing is planned for early March. I would like to set up the remaining briefings as soon as possible.

2. The ARRB staffers are very familiar with agency documents and have had several general briefings on Agency records; one member of the staff is a former Agency employee (CTC). These "compliance" briefings should focus on what files would have existed in the 1958-63 time period and how we search, or account for, those records today. The ARRB requests you have been working on give you some sense of the type of information they are interested in. In addition I am faxing a copy of the "talking points" prepared for the DO briefing. I have also ask Jeremy Gunn, ARRB General Counsel, to provide a list of directorate specific topics.

3. The briefing can take place at HQ or at IP. The ARRB attendees will include Mr. Gunn and 4 or 5 members of the Board's CIA team; all are fully cleared (SCI). I have asked Mr. Gunn to provide a list of dates when he and his staff would be available. I will forward the list to you as soon as I receive it. Thank you for your assistance in setting up these briefings. If you have any questions, please give me a call on extension 31825.

CC: John Pereira

ADMINISTRATIVE - INTERNAL USE ONLY

24 February 1997

MEMORANDUM FOR: Lee Strickland @ DA
DA Focal Point for JFK Board

FROM: J. Barry Harrelson
CSI/HRG, JFK Project Officer

SUBJECT: Records Briefing for ARRB Staff

REFERENCE: 1. Meeting with you, 21 February, 1997, same subject;
2. ARRB letter to DCI, dtd 27 November 27, 1997, RE CIA Compliance with the JFK Assassination Records Collection ACT.

1. As we discussed in our meeting of 21 February, the ARRB staff has asked for briefings on the Agency's records systems. These briefings are the first steps in the compliance with the JFK ACT process describe in reference #2. At the meeting we set the first two weeks in March as the timeframe for the DA briefing. Mr. Gunn has requested that the briefing take place prior to 12 March if possible. The Board is meeting on the 13-14 March and he will be reporting on the status of the compliance process. Let me know as soon as possible if this is feasible.

2. Your proposal to include representatives of offices of Security and Personnel is excellent. The briefing should focus on what records would have existed in 1963 and how we search, or account for, those records today. The talking points paper for the DO briefing, which I left with you, will give you a good sense of the type of information the ARRB staff is interested in. If you have any questions, please give me a call on extension 31825.

CC: Becky L. Rant @ DA
John Pereira

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Judge Tunheim
Jeremy Gunn
Cohen
Lee Strickland
John Pereira
Martin Boland
Barry Harrelson

Talking Points - 2/18/98 Judge John R. Tunheim, Chair Assassination Records Review Board

1. OIM - New Office -

a. Bringing all of release programs into alignment.

b. Realize there are problems - let me read two short sections from a briefing I have prepared for the DDA and the EXDIR

Pgs 13, and 19

c. This office is not knee-jerk or Neanderthal in its approach. We care a great deal about what makes sense practically and legally

d. In fact we have a significant legal bent in this office.

Lee is a former OGC attorney.
His FOIA coordinator is an attorney.

I am a former DGC on rotation from OGC

And I have three attorneys assigned to this office

Bruce Burke - Assoc DGC for Information

And two staff level attorneys:

Vicky Pepper a GS-15 attorney and

Martin Boland a junior attorney.

2. Cover Issue:

a. Appreciate your consideration of our concerns on state cover.

b. As I explained when I met with Dr. Gunn on 3 February. There are subjects that seem like open secrets, if they could be called secrets at all. And certainly, this is different from a secret like x is a CIA spy in y country.

c. But as the State Department and our station chiefs have indicated, this is more important that it would seem at first blush. There are repercussions from official acknowledgment of certain ``open secrets.''

d. Which brings me to perhaps a final point:

e. Intelligence information often looks sensitive to the layman or generalist when the expert will tell you it is innocuous. And conversely, what seems innocuous to the layman can be quite sensitive. Our job is to help you distinguish the one from the other.

f. we rely on you to help us figure out ways to ensure your job is done and the American people are informed without doing damage to intelligence equities.

g. We want to be as forward leaning as possible, and work out compromises so it is a win-win solution for our respective organizations and for the American people.

h. We will strive very hard for a cooperative, harmonious relationship and we are committed to providing whatever resources are needed, from a very slender resource base to ensuring that we have met all of your taskings.

[shifted 7 additional contractor/reviewers to bring the total to 20]

Office of OIM Information Management

Challenges

ADMINISTRATIVE - INTERNAL USE ONLY

Process

- Directorate Search & Review Is Cumbersome
- Coordination Is Resource Intensive & Inefficient
- IRO Task Not Perceived As Important
  - --Limits Experience & Sophistication We Can Bring to the Task
- The IRO Has Little Clout or Resources

Policies

- Saying "No" Is Easier Than Justifying Damage
- Past Practices Are Not Examined Until Forced

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s/addais/ed/briefing/982Gina8.ppt

Process: First, process - the components own the information and the IRO is the gate-keeper who controls what will be done, what will be searched, and what will be released. This makes coordination complex, but the larger issue is that the IRO usually does not have either the clout or the resources to do the job and we find cases bottle-necked.

Policies: What also makes coordination difficult, is an institutional bias to withhold until forced to release. Thus, we adopt silly positions. When pressed, we often concede in the end, but we lose credibility in the process.

There is no stomach, and perhaps no time to:

- Question the questionable,
- Revalidate the counter intuitive,
- or even overturn the nonsensical.

Office of OIM Information Management

OIM Corrective Actions

ADMINISTRATIVE - INTERNAL USE ONLY

- **Expedite Automation Efforts**
  - Assure All Released Agency Material Contained in a Compatible and Easily Accessible Database
- **Conduct a Top Level Review of Current Classification Policy**
  - Confirm What is Sensitive and What is Not

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s/addais/ed/briefing/982Gina8 ppt

Sixth, Capture of Previously Released Information: We are trying to complete the job of populating a data base of previously declassified and released information.

It is not acceptable that those outside the Agency know better than we do, what we have released. Our MORI database, once fully populated will allow us to:

> Satisfy many requesters from information we already have declassified.
>
> Speed up our declassification by knowing what decisions have already been made.
>
> Increase the consistency of our decisions.
>
> And most importantly, avoid wasting resources and embarrassing ourselves fighting to protect what already has been released.

And seventh, Classification Policy: The world is changing.

> The overall budget figure was never released, but now it is.
>
> It was forbidden to mention the existence of the NRO; that has changed.
>
> All NRO contractors were under cover; now a two page listing of those contractors has been published in the media.
>
> We tightly protected all overhead imagery program, but we now are declassifying product from early systems.

On the other hand, we still have policies that are outdated and may no longer make sense - [Farm, defectors, psychoanalysis, bios, World War II liaison information.]

A small effort can inject fresh thinking, and can staff issues for periodic and systematic validation by senior management.

This can pay dividends by keeping us from wasting time and resources protecting and defending what senior managers believe can and should be released.

17 August 1998

Talking Points for meeting with ARRB Executive Director, Laura Denk -- 4:00 p.m., 17 Aug. 1998

Meeting is primary a "Meet and Greet"

Laura will be looking for reaffirming of commitment to complete the tasks still outstanding and to meet the deadline for the Final Declaration. She may also bring up the subject of a "Memo of Understanding" on what is to be done after the Board goes out of business.

Current Status:

Sequestered Collection

The re-review is virtually complete-- the remaining material (approximate two boxes) is mostly security files)

[Note: In the review controversial, complicated or Denied in Full documents were white-banded for later processing; I currently have a team of 3 reviewers going through the collection handling these problem documents. A number of these could lead to potential appeal issues. It will take 2-3 weeks to complete the white band review.]

Russ Holmes' file

Review -- approximately 2/3 completed
Indexing -- approximately 1/2 completed

Special Requests

Complete -- 22
Continuing -- 10 (searches complete; material being collected or available for review)
Outstanding -- 5 All DO

[Note: Two of the outstanding requests (CIA 16 and CIA-IR-04) are long-overdue priorities that the ARRB staff requested by completed by 7 August. Laura may raise this issue. Several of the "Continuing" requests are close to completion.]

Preparation of Records for NARA
(Board Determination Documents and Release in Fulls)

The pace will pick as I move reviewers from the sequestered collection to assisting with preparation.

[Note: Will probably need additional resources in September to complete the task]

Post Board Tasks (some examples)

Duplicates from the Sequestered Collection, Russ Holmes, and other working files.
Referrals received in last two months of project (We will try to review as many as possible by end of September)
Other documents/material that it is not feasible to review by 30 Sept. or extremely time-consuming for both staffs and marginal to the story (examples: Mexico City tapes, card files that duplicate information in the file)

Other Topics for Discussion

Final Declaration -- "Who signs" may come up.

Transfer of Oswald classified files to NARA by 30 Sept.

Transfer of all Release In Full documents to NARA by 30 Sept.
[Laura changed procedures -- we no longer have to send through ARRB staff; send directly to NARA.]

Next Meeting - 25 Aug.- Possible Issues

Mexico City Tapes (200+)

Board leaving toward declaring as Assassination Records; DO's initial response is to object. I have advised DO that we will need a "defense" for Aug. 25 meeting.

IF DECANTER

Although the release of DECANTER was delayed at last meeting, I understand the Board still leans toward release.

Secret - Working Paper

Notes from Briefing of ARRB Staff on Stations
(11 October 1995 - ARRB conf. room)

CIA Attendees: Bill McNair
Lee Carle
John Goins
Chuck Briggs
Hal Bean
Barry Harrelson

Bill re Stations:

No problem with release of CAS (Controlled American Source), fact we have overseas locations, CIA representatives in specific countries -- the problem comes with officially acknowledging the stations thereby putting the host government and service in a position of explaining why it is allowing a foreign espionage unit to operate in the country. This may become a serious political issue for the government, especially in countries where the government does not acknowledge its own service. Also can be perceived as "rubbing their nose in it" and can affect the trust between the Agency and the host service (violated agreement of confidentially).

Marwell pointed out that this information was 30 years old and asked what was the impact of acknowledging a station presence in 1963 on current operations or relations.

Bill responded "opened up old sores" and cited Rome and the sensitivity to our involvement in past election. Mentioned the reaction to the announcement on covert actions by DCI.

Gunn asked if stations = liaison relationship; Bill said the other service can not say it did not know the CIA was operating in its own country -- would look incompetent.

Mary asked about changes in government; Bill responded that intell types tend to stay own or its revolving door where the group that leaves when a neww government comes into power will be back in power at some point.

Bill comments on specific stations

If important to the story such as Mexico City and the surrounding stations which were involved in the cable exchanges re Oswald, then will release.

"Don't take it away from us for little or no gain to the story", I. e. if not critical to the story let us protect.

He indicated he could live with opening the stations for short windows if important to story, but also said it created a problem about protecting other activities in that window

Moscow - opened for Oswald windows

Rome - No, past elections issue and current narcotics projects

Delhi - No, counter narcotics projects

Madrid - Liaison relationships have been up and down; (PNGed five officers) can't afford any more flaps

Rabat - long time relationship w/ head of state; could give anti-government labor unions an issue(however, would not "fall on my sword" for this one

Helsinki and Stockholm -- would go to DCI with request to appeal (governments currently under fire for cooperation with US/very sensitive operation under way

Marwell asked about substitute language: Scandinavia, Northern Europe -- Bill responded with Western Europe/ said southern Europe for Rome, Madrid etc. "ok"

London: do not want to acknowledge but could live with

Australia - very sensitive

Berlin - is open in 1955; 1963 (?) Bill may have been having second thoughts about previous statement "to release", but I think it still stands -- there was a discussion of why Berlin important to story.

Mary asked about other European stations, Bombay and some South American stations

Bill did not have specific on other stations but made a couple of comments

Bonn and Hague - no problem

Brussels - very sensitive to any mention of intelligence service presence

Would get back to them on other stations

[I promised Bill a list of the Stations]

Other issues discussed

Crypts other than LIs and AMs - there was a discussion re deleting digraph and letting rest of crypt; everyone seemed receptive, but no decision.

Bill mentioned Iranian takeover as good example of damage caused by release of documents with crypts, file #s, etc. **Gunn** ask if there was an internal "damage" study prepared. **Bill** said he would check.

Marwell rejected the approach of the Agency having the opportunity to discuss Board actions before official notification. If we have evidence, need to present upfront, not come back with additional evidence after the decision.

The balancing of public interest vs Agency needs came up several times; Marwell commented that even if a document or item is not important to the Oswald story, the Agency must still defend.

Bill stated several timed during the meeting "If important to the story, we can live with release".

Barry
12 October 1995